

REMARKS

The Examiner's Office Action of July 29, 2005 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application.

Claims 32-55 and 60-83 are pending for consideration, of which claims 32, 38, 44, 50, 60, 66, 72 and 78 are independent. Claims 1-14 and 31 have been withdrawn previously from consideration. In view of the following remarks, reconsideration of this application is now requested.

Referring now to the detailed Office Action, claims 32-55 and 60-83 stand rejected under 35 U.S.C. §102(e) as anticipated by Kamiura et al. (U.S. Patent No. 6,288,413 B1 – hereafter Kamiura). The §102(e) rejection over Kamiura is respectfully traversed at least for the reasons provided below.

Initially, Applicants note that Section 44, page 16 of the Office Action states that claims 32-55 and 60-83 are rejected under 35 U.S.C. §102(b) as anticipated by Koyama et al. (U.S. Patent No. 5,789,762 – hereafter Koyama). However, there is no detail rejection found. Hence, Applicants cannot respond to this rejection as it is incomplete.

With respect to independent claims 32 and 44, these claims recite, among other features, a semiconductor device (Thin Film Transistor) comprising an insulating film on a gate electrode and a pair of side walls. Further, claims 38 and 50 recite, among other features, a semiconductor device (Thin Film Transistor) comprising an insulating film on a gate electrode and a pair of conductive side walls. The Examiner, however, does not address these claimed features in the rejections. Further, Applicants respectfully assert that Kamiura does not disclose these claimed features.

With respect to independent claim 72, the claim recites a feature wherein an NTFT has a pair of side walls adjacent to side surfaces of the first gate electrode and a second insulating film on the first gate electrode and the pair of side walls. The Examiner alleged that the above-mentioned features are disclosed in Kamiura. However, Applicants respectfully assert that Kamiura does not disclose these features. Applicants respectfully note that an insulation film is shown by numeral 10 in Fig. 1F of Kamiura but the pair of sidewalls are not shown in Fig. 1F.

In the rejections, the Examiner asserted that feature 6b of Kamiura is a pair of side walls. However, as clearly disclosed in Kamiura, feature 6b is disclosed throughout the reference as a photo-resist and the photo-resist 6b is subsequently removed, as supported in, e.g., col. 6, line 60 of Kamiura. Consequently, photo-resist 6b is not included in the final state shown in Fig. 1F. Applicants respectfully submit that if a pair of side walls is shown by 6b in Fig. 1E of Kamiura, as asserted by the Examiner, then an insulating film is not shown in Fig. 1E. Further, if feature 6b are a pair of side walls, then the side walls do not overlap the pair of second impurity regions and third impurity regions. Should the Examiner still assert that feature 6b is a pair of side walls, Applicants would respectfully request the Examiner to point to specific text and drawing of Kamiura for support of his assertion.

With respect to independent claims 60, 66 and 78, these claims recite a feature wherein a semiconductor device (a TFT or NTFT) comprises a second insulating film in contact with an upper surface and side surfaces of the gate electrode, and a pair of side walls adjacent to the side surfaces of the (first) gate electrode with the second insulating film interposed therebetween. This configuration is shown in Fig. 22E (TFT of the left side), for example. However, Kamiura does not disclose these features.

With respect to the incomplete rejection based on Koyama, Applicants respectfully note that the side walls of Koyama are removed in the process, as shown in Fig. 2E, for example. Therefore, the side walls are not included in the final state. Hence, Koyama does not anticipate the claimed invention.

Consequently, since each and every feature of the present claims is not taught (and is not inherent) in the teachings of Kamiura or Koyama, as is required by MPEP Chapter 2131 in order to establish anticipation, the rejection of the pending claims, under 35 U.S.C. §102(b) and (e), as anticipated by Kamiura or Koyama is improper.

In view of the arguments set forth above, Applicants respectfully request reconsideration and withdrawal of the pending double patenting rejection.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,

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